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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/837,962	04/17/2001	Philip Ginzboorg	796.389USW1	1225

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EXAMINER

AL AUBAIDI, RASHA S

ART UNIT PAPER NUMBER

2642

DATE MAILED: 10/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/837,962	<b>Applicant(s)</b> GINZBOORG ET AL.	
	<b>Examiner</b> Rasha S AL-Aubaidi	<b>Art Unit</b> 2642	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 June 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

### ***Claim Rejections - 35 USC § 103***

2. Claims 1-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joyce in view of Marchbanks et al (US PAT # 6,266,401).

Regarding claim 1, Joyce teaches a method for controlling service provision for customer terminal, used by customers for receiving services, in a telecommunications network including (this reads on customer telephone 7, see Fig. 1), at least one server for offering services to the customers, (this reads on server 17, see col.9, lines 27-55, also see Fig. 1), and control means for controlling the provision of the service to a customer (this may read on switch 15, see Fig.1, also col.8, lines 18-20), the method comprising the steps of providing a service by transmitting information to the customer terminal (see col.10, lines 35-42), receiving information about service specific payments in the control means from the customer terminal during delivery of the service (this may read on customer request to hear account balance announcement, see col. 13, lines 8-12, see also the Billing module, which have a rating engine that determine the value of each transaction, col. 9, lines 5-25), informing the control means of the current price of the services (see col. 9, lines 5-24), comparing the value of at least one of said at least

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one control parameter to a first threshold , and stopping the provision of the service when the value of the control parameter has reached the first threshold (this basically means not completing the call when the amount of money exceed the threshold value, see col.13, lines 1-12).

Joyce does not specifically teach maintaining at least one control parameter whose value is dependent on at least accumulated charges for the service and accumulated sum of service-specific payments.

Marchbanks teaches a billing system and method particularly well suited for use in telephony networks accounts for usage of standard network services, such as voice and data communication, and third-party services, such as paging and voicemail services, supportable by the network. Such a telephony network billing system also accounts for customer usage of network equipment and third-party equipment. Network and third-party usage and equipment charges incurred by a customer are advantageously integrated by the billing system into a single customer invoice.

Marchbanks also teaches an itemization report formatter module 310<sup>that</sup> provides for the creation of an itemization of charges report. FIGS. 16E-16G illustrate an itemized listing of charges associated with a number of paging units presented on a single composite customer invoice. The charge text description lines in the voucher view for the date and the charge description fields are moved to the invoice report record by the itemization report formatter module 310 (see col. 8, lines 34-67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of itemization report (accumulated charges for the service and accumulated sum of service-specific payments), as taught by Marchbanks, into the Joyce system in order to provide an efficient, enhanced, and simplified billing system to customers.

Claims 19-20 and 23 are rejected for the same reasons as discussed above with respect to claim 1.

Regarding claim 2, Joyce teaches at least two control parameters (the claimed two parameters read on the "talk time left" and "customer account balance" as taught by Joyce, col.14, lines 20-29) are maintained determining at least one threshold for each control parameter, and stopping the service when the value of a certain control parameter exceeds a certain first threshold corresponding to that control parameter (this basically means not completing the call when the amount of money exceed the threshold value, see col.13, lines 1-12).

Regarding claim 3, Joyce teaches comparing the value of one of said at least one control parameter to a second threshold and sending a notification to the customer terminal when the value of the control parameter reaches the second threshold (see col.13, lines 8-12).

Regarding claims 4 and 11, Joyce teaches one control parameter is the control parameter whose value is used to stop the service (this reads on reaching the balance) whereby said second threshold is smaller than said first threshold (the second threshold may read on the warning announcement such as "you have one minute left").

Regarding claim 5, Joyce teaches at least one of said at least one control parameter represents the debt incurred by the customer (this basically reads on the switch manager that provides the caller with the money balance left in customers account, see col.14, lines 18-30).

Regarding claim 6, calculating the value of the control parameter after each service-specific payment, comparing the control parameter to a third threshold and sending a notification to the customer terminal when the value of the control parameter has reached said third threshold (this may read on the 0 money left in the account balance).

Regarding claims 7-8 and 10, Joyce does not specifically teach using a control parameter, which represents the ratio of the duration during which the customer has been in debt to the service provider to the duration during which the customer has not been in debt to the service provider. However, this may simply read on rating or ranking customers based on the period of time they have been in debit in comparison with other

periods of time, which they have not been in debit. For example, one week out of the year in debit versus 6 months out of the year in debit. Also, some businesses keep notes or customer rating to assist in handling future customer interactions.

Regarding claim 12, the claimed feature of changing the price of the service on the basis of the value of one of said at least one a control parameter simply reads on the scenario of making long distance phone calls in the evening for cheaper rates.

Regarding claim 13, the price of the service is changed on the basis of the value of the control parameter, which is used to stop the service. This is obvious since companies for example, may add an interest rate to an overdue balance.

Regarding claim 14, Joyce teaches determining the value of at least one of said at least one control parameter on the basis of the current service session only (this simply reads on customer current and available balance).

Regarding claim 15, Joyce teaches storing data (this is done on the database 31 and 33, see col.8, lines 35-43, col.9, lines 1-24) concerning the service session of the customer and using the data relating to at least one previous service session of the current customer when determining the value of at least one of said at least one control parameter during the current service session (col.16, lines 39-61).

Regarding claim 16, the use of timers to indicate when the value of at least one of said at least one control parameter would reach a threshold value is absolutely inherent, because the reference teaches the use of long distance service.

Claim 17 is rejected for the same reasons as discussed above with respect to claims 1 and 18.

Regarding claim 18, Joyce teaches calculating the value of at least one of said at least one the control parameter periodically and also when the price of the service changes and when a service-specific payment is received (see col.18, lines 10-49).

Regarding claim 21, Joyce teaches one information flow transmitted to several customers (see col.10, lines 35-42), characterized by maintaining customer-specific thresholds (this reads on NetManager 104, which provides real time rating/cutoff function that supports real time monitoring and rating of calls against a credit amount outstanding against a pre paid account, see col.12, lines 55-67), maintaining customer group-specific thresholds, and choosing the values of said thresholds so that the information flow to the customer can be stopped before the information flow to the entire customer group is stopped.

Regarding claim 22, Joyce teaches one information flow transmitted to several customers, characterized by storing data concerning the service session of a customer



group and using the data relating to at least one previous service session of the current customer group when determining the value of the control parameter during the current service session (see col.14, lines 8-29).

Claim 24 recites, "A customer terminal configured to receive services, make service-specific payments for services and send information about said service-specific payments to the control means". This is inherent since Joyce teaches a customer terminal such as telephone 7, wireless telephone 9, and/or customer PC (not shown), see Fig. 1 are implemented in an advanced intelligent communication system. Therefore, devices like these must have been fully configured in order to receive services, make service-specific payments for services and send information about said service-specific payments to the control means.

### ***Response to Arguments***

3. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasha S AL-Aubaidi whose telephone number is (703) 605-5145. The examiner can normally be reached on Monday-Friday from 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.


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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Examiner

Rasha Al-Aubaidi

09/29/2004

  
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